

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re : **Chapter 13**

Jo-Anne Mary Milner, :

Debtor. : **Case No. 18-17954 (JKF)**

ORDER TO SHOW CAUSE

AND NOW, this 19th day of December, 2018, the Debtor having failed to fulfill the credit counseling requirement pursuant to 11 U.S.C. § 109(h)(1) and, the Debtor having failed to request a Certification of Exigent Circumstances waiver from complying with the credit counseling requirement; and

1. 11 U.S.C. § 109(h)(1) requires that an individual may not be a debtor in a bankruptcy case unless, within the 180-day period before the filing of the bankruptcy petition, the individual has received an individual or group briefing from an approved nonprofit budget and credit counseling agency as described in 11 U.S.C. § 111(a) ("the Credit Counseling Requirement"); and

2. 11 U.S.C. § 109(h)(3) provides that a debtor may be exempted temporarily from the Credit Counseling Requirement for a thirty (30) day period after the filing of the petition, if the debtor submits a certification which:

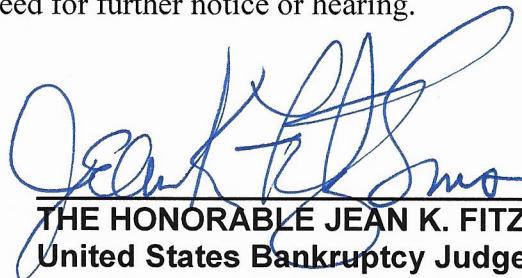
- (a) describes the circumstances that made it impossible to obtain the counseling prior to the filing of the petition,
- (b) states that the debtor requested credit counseling services from an approved agency but was unable to obtain the services during the seven-day period beginning on the date the request was made, and

(c) is satisfactory to the court, and

3. 11 U.S.C. § 109(h)(4) provides that, after a notice and hearing, the court may determine that the requirements of 11 U.S.C. § 109(h)(1) shall not apply to a debtor because of incapacity, disability, or active military duty in a military combat zone.

IT IS HEREBY ORDERED, that the debtor shall appear before the Honorable Jean K. FitzSimon, United States Bankruptcy Judge, in Bankruptcy Courtroom #3, Robert N.C. Nix, Sr., Federal Building and Courthouse, 900 Market Street, 2nd Floor, Philadelphia, Pennsylvania, on **Wednesday, January 16, 2019, at 9:30 a.m.** to show cause why the debtor's bankruptcy case should not be dismissed for failure to comply with the Credit Counseling Requirement outlined in 11 U.S.C. § 109(h)(1).

IT IS FURTHER ORDERED that, if the debtor fails to appear at the above scheduled hearing, this case may be dismissed without need for further notice or hearing.



THE HONORABLE JEAN K. FITZSIMON
United States Bankruptcy Judge

Persons served:

Ms. Jo-Ann Mary Milner
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Debtor – Served via Regular Mail

William R. Miller, Esquire
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Interim Chapter 13 Trustee – Served Electronically

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Served Electronically